



PATENT
Atty. Docket No. (2541 FWC 4 DIV CIP CON 3)
203-2716 FWC 4 DIV CIP CON 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Eric R. Cosman** Examiner: TBD
Serial No.: **10/730,826** Group: Art Unit 3737
Filed: **December 8, 2003** Dated: April 2, 2004
For: **SURGICAL POSITIONING SYSTEM**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to applicant's continuing duty of disclosure, it is respectfully requested that the disclosures cited in the annexed Form PTO-1449 be considered by the Examiner and made of record in the above-identified application.

The references listed were previously cited and submitted in the parent application, U.S. Application Serial No. 10/208,283 filed July 29, 2002. In accordance with 37 C.F.R. §1.98(d) and 35 U.S.C. §120, copies of the references can be obtained in the above-identified application.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 2, 2004.

Dated: April 2, 2004


Dana A. Brussel

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

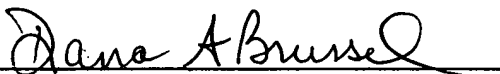
- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application.
- ☒ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☐ Enclosed herewith is a certificate under 37 C.F.R. §1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. §1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. (37 C.F.R. §1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. **50-2140**.

- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. §1.17(p).
- ☐ Please charge the \$180.00 fee required by 37 C.F.R. §1.17(p) to Deposit Account No. 50-2140.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. §1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 50-2140. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140 therefor.

TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

The claims of the application as now presented are believed to patentably distinguish over the prior art and to be in condition for allowance. Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,


Dana A. Brussel
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Attorney for Applicant(s)

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Form PTO 4449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

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Examiner**Date Considered**

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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* Did not receive any FOR or NPL.

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